

Decision No. 89058 JUL 11 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

THE LA PORTE PINES COUNTRY CLUB
BOARD OF DIRECTORS,

Complainant,

vs.

THE LA PORTE PINES WATER COMPANY
PUBLIC UTILITY,

Defendant.

Case No. 10338
(Filed May 26, 1977)

O P I N I O N

This complaint was filed on May 26, 1977. It consisted of two paragraphs and requested that defendant be ordered to do whatever is necessary to improve the water situation. No answer or other pleading was filed by defendant and a staff engineer interviewed customers of the system and submitted a report. The complaint was never amended, although a notice was mailed to advise complainants that their pleading failed to state a cause of action.

The staff engineer filed a report dated September 20, 1977 and several letters were subsequently received which praised the water quality and supply. Several other letters inquired whether a hearing would be scheduled. No letters have been received since December 1977 and there has been no reply to a Commission letter dated April 5, 1978 which warned that the complaint does not state a cause of action and will be dismissed in May 1978 unless it is amended and someone writes to request that a hearing be scheduled.

This complaint is too brief and too broad to provide a basis for the Commission to afford relief. If problems exist, those who are affected can request that the Commission institute a formal investigation of the defendant water company.

We find and conclude that the complaint should be dismissed for failure to state a cause of action.

O R D E R

IT IS ORDERED that Case No. 10338 is dismissed.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 11th day of JULY, 1978.

Robert Bateman
President

Richard D. Swartz
Clare J. DeLoach
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.